

2-15-B. Administrative Determinations Regarding the Obtaining of Penalties for Spills (1200 TN 103)

1. AUTHORITY. To perform the administrative functions which are the responsibility of the Environmental Protection Agency under Section II of the Memorandum of Agreement dated August 15, 1979 between the Agency and the U.S. Coast Guard. This includes the authority to determine that it is appropriate to initiate a civil judicial penalty action for the discharge of oil or hazardous substances into or upon the navigable waters of the United States.

2. TO WHOM DELEGATED. Director, Enforcement and Compliance Assurance Division (ECAD), in accordance with the provisions of the Memorandum of Agreement.

3. LIMITATIONS. None.

4. REDELEGATION AUTHORITY.

a. This authority may not be redelegated.


b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Memorandum of Agreement between the Environmental Protection Agency and the U.S. Coast Guard concerning the Assessment of Civil Penalties for Discharge of Oil and Designated Hazardous Substances dated August 15, 1979 and published in the Federal Register, August 29, 1979, at 44 FR 50785.
- b. Sections 309 and 311 of the Clean Water Act (CWA).
- c. For referral of the corresponding civil judicial actions to the Department of Justice, see Chapter 2 delegation entitled "Civil Judicial Enforcement Actions."

6. SUPERSESSION. Delegations Manual, CWA, Regional Delegation 2-15-B. Administrative Determinations Regarding the Obtaining of Penalties for Spills, 1200 TN RIII 78 (October 6, 1989).

Date: APR 15 2019


Cosmo Servidio
Regional Administrator